

Senate File 473 - Introduced

SENATE FILE 473

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1036)

A BILL FOR

1 An Act relating to the enforcement of motor vehicle laws and
2 the regulation of commercial motor vehicles and certain
3 operators by the department of transportation, and including
4 effective date provisions.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.180, subsection 2, paragraph c, Code
2 2017, is amended to read as follows:

3 c. A commercial learner's permit shall be valid for a period
4 not to exceed ~~one hundred eighty days~~ the period provided in
5 49 C.F.R. §383.25(c) and 49 C.F.R. §383.73(a)(2)(iii). A
6 ~~commercial learner's permit may be renewed for an additional~~
7 ~~one hundred eighty days without retaking the general and~~
8 ~~endorsement knowledge tests required by section 321.188.~~

9 Sec. 2. Section 321.463, Code 2017, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 4A. a. Notwithstanding any provision of
12 law to the contrary, a motor vehicle equipped with an engine
13 fueled primarily by compressed natural gas may exceed any
14 applicable maximum gross weight limit under this chapter, up
15 to a maximum gross weight of eighty-two thousand pounds, by
16 an amount equal to the difference between the weight of the
17 vehicle attributable to the compressed natural gas tank and
18 fueling system installed in the vehicle and the weight of a
19 comparable diesel fuel tank and fueling system.

20 b. Notwithstanding any provision of law to the contrary,
21 a motor vehicle described in paragraph "a" equipped with an
22 auxiliary power or idle reduction technology unit that reduces
23 fuel use and emissions during engine idling may exceed any
24 applicable maximum gross weight limit under this chapter by
25 five hundred fifty pounds or the weight of the auxiliary power
26 or idle reduction technology unit, whichever is less. This
27 paragraph "b" shall not apply unless the operator of the vehicle
28 provides to the department a written certification of the
29 weight of the auxiliary power or idle reduction technology
30 unit, demonstrates or certifies to the department that the idle
31 reduction technology unit is fully functional at all times,
32 and carries with the operator the written certification of the
33 weight of the auxiliary power or idle reduction technology unit
34 in the vehicle at all times to present to law enforcement in
35 the event the vehicle is suspected of violating any applicable

1 weight restrictions.

2 Sec. 3. Section 321.477, Code 2017, is amended to read as
3 follows:

4 **321.477 Employees as peace officers — maximum age.**

5 1. The department may designate by resolution certain of
6 its employees upon each of whom there is hereby conferred the
7 authority of a peace officer to enforce all laws of the state
8 including but not limited to the rules and regulations of the
9 department. Employees designated as peace officers pursuant
10 to this section shall have the same powers conferred by law on
11 peace officers for the enforcement of the laws of this state
12 and the apprehension of violators.

13 2. Employees designated as peace officers pursuant to this
14 section shall primarily engage in the following enforcement
15 activities:

16 a. The enforcement of federal motor carrier safety
17 regulations and federal motor carrier hazardous materials
18 regulations as adopted in this chapter and in rules adopted by
19 the department under this chapter.

20 b. The regulation of the operating authority of motor
21 carriers.

22 c. The regulation of the movement, safety, and lawful
23 operation of commercial motor vehicles.

24 d. The regulation of the operating authority of commercial
25 motor vehicle operators and the enforcement of traffic and
26 safety laws on operators of commercial motor vehicles.

27 e. The enforcement and performance of other activities
28 necessary for the motor carrier safety assistance program and
29 the high priority program administered under 49 C.F.R. pt.
30 350.

31 f. The investigation and enforcement of matters relating to
32 or arising out of responsibilities entrusted to the department.

33 g. The control and direct direction of traffic and weigh
34 vehicles, and to make arrests for violations of the.

35 h. The enforcement of motor vehicle laws relating to

1 the operating authority, registration, size, weight, and
2 load of motor vehicles and trailers ~~and registration of a~~
3 ~~motor carrier's interstate transportation service with the~~
4 ~~department.~~

5 3. The maximum age for a person employed as a peace officer
6 pursuant to [this section](#) is sixty-five years of age.

7 Sec. 4. EFFECTIVE UPON ENACTMENT. The section of this Act
8 amending section 321.477, being deemed of immediate importance,
9 takes effect upon enactment.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 Under current law, commercial learner's permits are valid
14 for 180 days and may be renewed for an additional 180 days
15 without retaking the required general and endorsement knowledge
16 tests. This bill alters that provision to incorporate by
17 reference the validity and renewal periods provided by the
18 code of federal regulations as well as an exemption for state
19 driver's licensing agencies. Although the code of federal
20 regulations specifies the same 180-day validity and renewal
21 periods, state driver's licensing agencies are currently
22 exempted from those periods by the federal motor carrier safety
23 administration, and may instead allow commercial learner's
24 permits to be valid for one year with no renewal period.

25 The bill provides that a motor vehicle equipped with an
26 engine fueled primarily by compressed natural gas may exceed
27 any applicable maximum gross weight limit under Code chapter
28 321, up to a maximum gross weight of 82,000 pounds, by an
29 amount equal to the difference between the weight of the
30 vehicle attributable to the compressed natural gas tank and
31 fueling system installed in the vehicle and the weight of a
32 comparable diesel fuel tank and fueling system.

33 The bill further provides that such a motor vehicle equipped
34 with an auxiliary power or idle reduction technology unit that
35 reduces fuel use and emissions during engine idling may exceed

1 any applicable maximum gross weight limit by 550 pounds or the
2 weight of the auxiliary power or idle reduction technology
3 unit, whichever is less. However, this provision does not
4 apply unless the operator of the vehicle provides to the
5 department of transportation (DOT) a written certification of
6 the weight of the auxiliary power or idle reduction technology
7 unit, demonstrates or certifies to the DOT that the idle
8 reduction technology unit is fully functional at all times,
9 and carries with the operator the written certification of the
10 weight of the auxiliary power or idle reduction technology unit
11 in the vehicle at all times to present to law enforcement in
12 the event the vehicle is suspected of violating any applicable
13 weight restrictions.

14 Current law provides that certain employees of the DOT may be
15 designated as peace officers authorized to control and direct
16 traffic and weigh vehicles, and to make arrests for violations
17 of the motor vehicle laws relating to the operating authority,
18 registration, size, weight, and load of motor vehicles and
19 trailers, and registration of a motor carrier's interstate
20 transportation service with the DOT.

21 The bill authorizes peace officers employed by the DOT
22 to enforce all laws of the state including but not limited
23 to the rules and regulations of the DOT. The bill requires
24 DOT employees designated as peace officers to primarily
25 engage in the enforcement of federal motor carrier safety
26 regulations and federal motor carrier hazardous materials
27 regulations; the regulation of the operating authority of
28 motor carriers; the regulation of the movement, safety, and
29 lawful operation of commercial motor vehicles; the regulation
30 of the operating authority of commercial motor vehicle
31 operators; the enforcement of traffic and safety laws on
32 operators of commercial motor vehicles; the enforcement and
33 performance of other activities necessary for the motor carrier
34 safety assistance program and the high priority program;
35 the investigation and enforcement of matters relating to or

1 arising out of responsibilities entrusted to the DOT; the
2 control and direction of traffic; and the enforcement of motor
3 vehicle laws relating to the operating authority, registration,
4 size, weight, and load of motor vehicles and trailers. This
5 provision of the bill takes effect upon enactment.